

# PATENT COOPERATION TREATY

REC'D 15 FEB 2005

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INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference see form PCT/ISA/220		<b>FOR FURTHER ACTION</b> See paragraph 2 below	
International application No. PCT/B2004/052441	International filing date (day/month/year) 16.11.2004	Priority date (day/month/year) 24.11.2003	
International Patent Classification (IPC) or both national classification and IPC G11B19/02			
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.			

### 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and Industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
 European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Benfield, A Telephone No. +31 70 340-2973
	

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**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material:  
 in written format  
 in computer readable form
  - c. time of filing/furnishing:  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes:	Claims	1-13
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-13
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-13
	No:	Claims	

**2. Citations and explanations**

**see separate sheet**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**Re Item V.**

- 1 The following document is referred to in this communication:  
D1 : US 6 201 772 B1 (YOKOTA TOKUO) 13 March 2001 (2001-03-13)
- 2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document):

System for access to data on an optical disk controlled by a series of cards ('tokens'). The cards are punched with holes in a pattern which can be read by the player. The hole pattern is interpreted to cause the system to carry out a function specified by the pattern (e.g. 'play track 1' etc.). The system comprises:

1. Computing means (microprocessor);
2. Data store (optical disk drive);
3. Card reader ('token interfacing means');

From this, the subject-matter of independent claim 1 differs in that:

the card reader can also print user-intelligible information (i.e. in plain language, rather than a code which is machine-readable) back to the card in order to show what operation was carried out by the system on insertion of the card.

- 2.1 The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)  
The problem to be solved by the present invention may be regarded as:

providing user-intelligible feedback to the user by printing a report of an operation carried out on insertion of the card onto the card itself.

- 2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

the provision of user feedback in this manner is not envisaged in the closest available

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prior art and would not be an obvious extension of it.

- 2.3 Claims 2-11 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.
- 3 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document):

see 2 above.

From this, the subject-matter of independent claim 12 differs in that:

it is a printable card designed to be used in the system of claim 1. Such a card is not disclosed in the prior art D1.

- 3.1 The subject-matter of claim 12 is therefore novel (Article 33(2) PCT)
- 3.2 The solution to this problem proposed in claim 12 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

the prior art does not disclose a printable card as described and neither would it be obvious to the skilled person to provide one in the prior art system.

- 4 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document):

A method for operating a data reproducing system as described in 2 above.

From this, the subject-matter of independent claim 13 differs in that:

as well as carrying out an operation described on the card when the card is inserted in the card reader, the reader writes back to the card a report of the operation carried out in a way intelligible to the user i.e. in plain language rather than a machine-

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readable code.

4.1 The subject-matter of claim 13 is therefore novel (Article 33(2) PCT)  
The problem to be solved by the present invention may be regarded as:

providing a step of providing user-intelligible feedback to the user by printing a report of an operation carried out on insertion of the card onto the card itself.

4.2 The solution to this problem proposed in claim 13 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

the provision of a step of providing user-intelligible feedback to the user by printing a report of an operation carried out on insertion of the card onto the card itself is not disclosed in the available prior art and would not be an obvious extension of the prior art method.

**Re Item VIII.**

1. Claim 1 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The following functional statement does not enable the skilled person to determine which technical features are necessary to perform the stated function:

providing visible user feedback via at least one data token.

This problem is simply one aspect of a more general lack of clarity in the claims, which are worded in such a way as to make them only fully intelligible when read in combination with the description.

2. Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising

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part (Rule 6.3(b)(ii) PCT).

In the present case, the following features are known in combination from the document D1 and belong in the preamble of such a claim:

An electronic system comprising:

Computing means; a data store; interface means for reading control information from a card placed in the interface means.